

AMEND § 895.1 Definitions

"Archaeological Coverage Map" means the map or maps required as part of a Confidential Archaeological Addendum or a Confidential Archaeological Letter pursuant to 14 CCR ~~Section §§~~ 929.1 [949.1, 969.1](c)(9) and 1052(d)(10). The map(s) shall contain a north arrow, a scale, and accurately display the project boundary, the site survey area (showing survey intensity(ies)), and specific location of all archaeological and historical sites identified within the site survey area. The map(s) must be on a 1:1 scale copy of a USGS 7.5' quadrangle(s), or digitally generated topographical equivalent. Additional maps at other scales may be ~~included~~ required to more accurately display required information or increase clarity.

"Confidential Archaeological Addendum" means the archaeological and historical resources survey and impact assessment report prepared for a proposed timber operation ~~pursuant to the rules. It is submitted on a form entitled "CDF Confidential Archaeological Addendum for Timber Operations on Non-Federal Lands in California" dated 1/1/98 (or an equivalent) and~~ The addendum is confidential to the extent permitted pursuant to Government Code ~~Sections §§~~ 6254(r) and 6254.10. It ~~is~~ shall not be included in any document provided to the public. It shall contains all information required by 14 CCR ~~§§~~ 929.1, 929.2, 929.3, 929.7, 949.1, 949.2, 949.3, 949.7, 969.1, 969.2, 969.3, 969.7.

"Confidential Archaeological Letter" means the archaeological and historical resources survey and impact assessment prepared for an Emergency Notice covering three acres or more in size. It is included with the submittal of the Emergency Notice to the Director and contains all information required by 14 CCR ~~Section §~~ 929.1 [949.1,969.1] (b)(2),(67),(78),(89), (10) and (4011), including site records, if as required pursuant to 14 CCR §§ 929.1 [949.1,969.1] (fg) and 929.5 [949.5,969.5]. The information may be presented ~~on the form entitled "CDF Confidential Archaeological Addendum for Timber Operations on Non-Federal Lands in California" dated 1/1/98 (or an equivalent) or in either a letter or report format. It is confidential to the extent permitted pursuant to Government Code Sections §§~~ 6254(r) and 6254.10 and shall not be included in any document provided to the public.

1 ~~"Native Americans" means local federally recognized tribal governments, and those California Native American~~
2 ~~organizations and individuals, as listed on the Native American contact list provided to the Director by the Native~~
3 ~~American Heritage Commission (NAHC) for the area that contains the proposed timber operation. The Director shall~~
4 ~~ensure that the list provided by the Department for archaeological and historical work includes all "Native Americans"~~
5 ~~identified by January 1st of each year. the Native American Heritage Commission and those local Native American tribal~~
6 ~~groups and individuals to be notified or consulted pursuant to the Forest Practice Rules as defined in the Native~~
7 ~~American Contact List.~~

8
9 "Native American Contact List" means the list that identifies those Native Americans that must be notified or consulted
10 pursuant to the Forest Practice Rules. The Department shall maintain this list utilizing information and advice provided
11 by the Native American Heritage Commission (NAHC). The list shall identify the appropriate contacts to be notified or
12 consulted during preparation or review of Timber Harvesting Plans. The list shall be organized by counties or portions of
13 counties and shall include all local federally recognized tribal governments. It shall also include other California Native
14 American organizations or individuals that the Department places on the list based upon demonstrated knowledge
15 concerning the location of archaeological or cultural resources within California. The NAHC shall also be included as a
16 required contact for each county on the list to enable the NAHC to complete a check of their Sacred Lands File which is
17 authorized by PRC Sections §§ 5097.94(a) and 5097.95. The list shall be posted on the Department's internet site to
18 make it readily available to RPFs and others needing the list to comply with these rules. The list shall also be available
19 by mail through written request to the Department's Region offices. At least twice annually, the Department shall update
20 the list to provide the most current information. Each update will reflect a new revision date, so users of the list may
21 identify which version of the list they were using.

22
23 "Native American Archaeological or Cultural Site" means any archaeological or other cultural resource that is associated
24 with Native Americans. These sites must be identifiable by a specific physical location containing specific physical
25 attributes. Native American archaeological or cultural sites include but are not limited to: village sites, camp sites,

petroglyphs, prehistoric trails, quarries, milling stations, cemeteries, sacred sites, ceremonial sites or traditional cultural properties.

“Significant Archaeological or Historical Site” means a specific location which may contain artifacts, or objects and where evidence clearly demonstrates a high probability that the site meets one or more of the following criteria:

- (a) Contains information needed to answer important scientific research questions.
- (b) Has a special and particular quality such as the oldest of its type or the best available example of its type.
- (c) Is directly associated with a scientifically recognized important prehistoric or historic event or person.
- (d) Involves important research questions that historical research has shown can be answered only with archaeological methods.
- (e) Has significant cultural or religious importance to ~~California Indians as identified by the Native American Heritage Commission (NAHC) or Native American organizations or individuals in concurrence with the NAHC or locally federally recognized tribal governments.~~ Native Americans as defined in 14 CCR § 895.1.

~~CONFIDENTIAL ARCHAEOLOGICAL ADDENDUM~~

~~FOR TIMBER OPERATIONS ON NON-FEDERAL LANDS IN CALIFORNIA~~

~~This report form may only be used to document an archaeological and historical resource survey and impact assessment for a Timber Harvesting Plan (THP), Non-industrial Timberland Management Plan (NTMP), Program Timber Harvesting Plan (PTHP), Emergency Notice (EM), Modified Timber Harvesting Plan (MTHP), or other commercial timber operation on privately owned or other non-federal lands within California pursuant to California's Forest Practice Regulations (14 CCR Section 929, 949, 969 et seq.). This entire report, except Parts I and V, is confidential and may not be included in any document provided to the public. Completed reports will be reviewed by a CDF Archaeologist as part of the overall project review conducted by CDF. Any questions pertaining to the use of this report form, the Forest Practice Regulations which address protection of archaeological resources, or archaeological investigations of commercial timber operations may be directed to CDF Archaeology Program Manager Dan Foster at (916) 653-0839 or to any of the regional CDF Archaeologists.~~

~~Part I: ADMINISTRATIVE INFORMATION~~

~~Note: The information in Part I is not confidential and may be released to the public.~~

Name of Surveyor: _____ Name of RPF: _____
Address: _____ Address: _____
Phone #: _____ Phone #: _____
Project Name: _____ Project #: _____
Project Type: _____ Approximate Acreage: _____
County: _____ Legal Description: _____
Name of USGS 7.5' Quad(s): _____ Date Report Completed: _____
Author of Report: _____ Signature of Archaeological Surveyor: _____

Part II: ARCHAEOLOGICAL RECORDS CHECK INFORMATION

A current archaeological records check conducted at the appropriate Information Center of the California Historical Resource Information System must have been conducted for this project area. A copy of the completed records check request form, map, and reply (including mapped information) from the Information Center must be included as an attachment to this report, or a justification provided as to why that is not possible. If a copy of written records check information cannot be attached, provide a justification, the date of the records check, the Information Center File Number, and a summary of the results discussing whether or not archaeological or historical sites are known or suspected to exist within the site survey area and whether or not the site survey area has a previous archaeological investigation on record.

() Records Check Attached

() Records Check Not Attached:

Justification:

Date of Records Check Conducted by Information Center:

Information Center File #:

Records Check Results:

Part III: NATIVE AMERICAN CONSULTATION INFORMATION

1 ~~14 CCR Section 929.1 [949.1, 969.1] (a)(2) requires the RPF or the RPF's supervised designee to provide~~
2 ~~written notification to local Native American groups and individuals on the current list of Native American contacts~~
3 ~~provided by the Native American Heritage Commission, and to allow a minimum of 10 days for response prior to~~
4 ~~submitting a THP to CDF. This notice must: (A) request information concerning any archaeological or historical sites~~
5 ~~within the THP boundaries which may be known by Native Americans, (B) provide the project location by county,~~
6 ~~section, township and range, and the direction and distance from the nearest community or landmark, (C) provide an~~
7 ~~estimate of the earliest date CDF may approve the project, (D) include a statement that they may participate in the~~
8 ~~review process and provide the address and phone number of appropriate CDF offices to contact, (E) indicate that a~~
9 ~~Confidential Archaeological Addendum will be prepared and how a copy may be obtained, (F) provide a map with~~
10 ~~project boundary, legend, and scale, and (G) include the name of the USGS 7.5' map(s) upon which the project is~~
11 ~~located. Complete the following section and provide an example of the correspondence as an attachment to this~~
12 ~~report.~~

13 **List the individuals or groups which were provided written notification:**

14 **Date notification was sent:**

15 **Results of notification :**

16 **(-) No reply received as of (date):**

17 **(-) Written reply received (copy attached)**

18 **(-) Verbal reply received (summarize reply below):**

19
20 **Part IV: OTHER PRE-FIELD RESEARCH**

21 ~~Describe research conducted prior to field survey, other than the Archaeological Records Check and Native~~
22 ~~American consultation described in Parts II and III. For example, List the individuals or agencies which were~~
23 ~~contacted (such as the landowner, local archaeologist, etc.), the pertinent archaeological, ethnographic, or historical~~
24 ~~literature which was reviewed, and summarize the results of this research.~~

25 **Literature Reviewed :**

Persons Contacted:

Results of Pre-Field Research:

Part V: TRAINING AND EXPERIENCE OF ARCHAEOLOGICAL SURVEYOR(S)

Note: The information in Part V is not confidential and may be released to the public.

_____ To meet the requirements of 14 CCR Section 929.1 [949.1, 969.1], archaeological surveys of THP's or EM's shall be conducted by a Professional Archaeologist or a person who has satisfactorily completed a CDF Archaeological Training Course within five years prior to submission of the project to CDF. Complete the following information:

Name of current Archaeological Surveyor(s):

() _____ Archaeological Survey conducted by Professional Archaeologist

() _____ Archaeological Survey conducted by person with a current CDF Archaeological Training

_____ **Certificate**

CDF Archaeological Training Course #

Date Completed:

() _____ Archaeological Survey done for previous project within site survey area previously conducted by (provide name):

Part VI: SURVEY METHODS AND PROCEDURES

Survey strategy:

Time spent conducting archaeological field survey:

Survey coverage intensity:

Ground visibility/other limitations:

Other relevant information:

1 **Part VII: SURVEY RESULTS**

2 ~~_____ List and briefly describe all archaeological or historical sites identified within the site survey area, including~~
3 ~~the site(s) size, type, and condition. Display the specific location of all identified archaeological or historical sites on~~
4 ~~the attached Archaeological Coverage Map or Maps. The designations used for the sites listed below (e.g. Site #1,~~
5 ~~Site #2, etc.) must correspond to the designations used in Parts VIII and IX, and to the site locations plotted on the~~
6 ~~Archaeological Coverage Map or Maps.~~

7 **Survey Results:**

8
9 **Part VIII: EVALUATION OF SIGNIFICANCE**

10 ~~_____ 14 CCR Section 929.7 [949.7, 969.7] specifies that a determination of significance shall be made for an~~
11 ~~identified archaeological and historical site located within the site survey area if damaging effects from timber~~
12 ~~operations cannot be avoided. The determination of significance shall be based upon criteria defined for a "significant~~
13 ~~archaeological or historical site" found in 14 CCR Section 895.1, utilize any information provided by Native~~
14 ~~Americans, or found in any archaeological, historical, or ethnographic data pertinent to the region or to the site, and~~
15 ~~the physical characteristics of the site. If required, a preliminary determination of significance shall be made by the~~
16 ~~RPF or RPF's supervised designee and included in this report. The CDF Director shall make the final determination~~
17 ~~of significance, and substantial adverse change, based on advice of a professional archaeologist.~~

18 **Preliminary Determination of Significance:**

19
20 **Part IX: PROTECTION MEASURES**

21 ~~_____ List each archaeological or historical site identified within the project area and clearly describe the specific~~
22 ~~enforceable protection measures to be implemented, both within the site boundaries and within 100 feet of the site~~
23 ~~boundaries pursuant to 14 CCR 929.1 [949.1, 969.1] (b). In accordance with 14 CCR 929.2 [949.2, 969.2] (a), these~~
24 ~~are specific measures taken to mitigate or avoid substantial adverse change to any known significant archaeological~~
25 ~~or historical sites. The RPF may propose, and the Director may agree to, specific mitigation measures without~~

evaluating the significance of any identified site.

Protection Measures:

Part X: MEETING WITH THE LICENSED TIMBER OPERATOR (LTO)

~~14 CCR Section 929.2 [949.2, 969.2] (b) requires the RPF or supervised designee familiar with on-site conditions to meet with the LTO prior to the start of timber operations at each archaeological or historical site that is described in the plan, or notice, that requires avoidance or protection measures, and do the following: (1) show the LTO the location, extent and boundaries of each archaeological or historical site requiring protection, (2) discuss with the LTO the protection measures, and (3) apprise the LTO of confidentiality requirements concerning the physical location of archaeological or historical sites. Pursuant to 14 CCR Section 929.2 [949.2, 969.2] (c), if the RPF or supervised designee familiar with on-site conditions is unable to perform these duties, the RPF shall: (1) explain the reasons in the THP, or THP amendment, or EM, (2) meet with the plan submitter, or if the plan submitter will not comply with the RPF's request for a meeting, notify the Director in writing, (3) except for EM's, notify the plan submitter in writing that it is the plan submitter's responsibility to transfer information to the LTO, and to notify the Director. Describe how this requirement has been or will be addressed:~~

Meeting with LTO:

~~() There are no archaeological or historical sites requiring protection, no meeting required.~~

~~() Meeting between RPF or supervised designee familiar with on-site conditions and LTO will be conducted prior to start of timber operations.~~

~~() Meeting between RPF or supervised designee familiar with on-site conditions and LTO has been conducted (provide details):~~

~~() This RPF or supervised designee will not be meeting with the LTO.~~

~~Provide information demonstrating compliance with 14CCR Section 929.2 [949.2, 969.2](c):~~

Part XI: SITE RECORDING

1 ~~Any time prior to THP approval, or accompanying an EM larger than 3 acres, the RPF or RPF's supervised~~
2 ~~designee shall submit completed site records for each site determined to be a significant archaeological or historical~~
3 ~~site [14 CCR Section 929.1 [949.1, 969.1] (c)], or for sites the surveyor elects to record but for which no determination~~
4 ~~of significance has been made [14 CCR 929.1 [949.1, 969.1] (f)]. Furthermore, the Director is responsible to ensure~~
5 ~~that all archaeological or historical sites determined to be significant and located within the site survey area on THP's~~
6 ~~or EM's larger than 3 acres are recorded in a manner consistent with the recording standards identified in OHP's~~
7 ~~"Instructions for Recording Historical Resources." Describe how these recording requirements have been or will be~~
8 ~~addressed:~~

9 ~~() No sites found within the site survey area.~~

10 ~~() The following sites have been recorded and completed records are attached:~~

11 ~~() The following site(s) will be recorded prior to THP approval:~~

12 ~~() The following site(s) has been previously recorded, update(s) not prepared (attach copy(ies)):~~

13 ~~() The following site(s) has been previously recorded, update(s) prepared (attach copy(ies)):~~

14 ~~() The following sites will not be recorded, justification provided below:~~

16 **PART XII: OTHER APPLICABLE INFORMATION**

17 ~~Provide any additional information concerning the archaeological survey for this project:~~

18 **Additional Information:**

20 **PART XIII: ATTACHMENTS**

21 ~~Indicate which attachments are included with this report. For THP's, and EM's of 3 acres or larger, the rules~~
22 ~~require the attachment of an Archaeological Coverage Map or Maps [14 CCR Sections 929.1 [949.1, 969.1] (b) [(8)]~~
23 ~~and 1052 (h)]. This map (or maps) shall contain a north arrow, a scale, and accurately display the project boundary,~~
24 ~~the site survey area (showing survey intensity(ies)), and specific location of all archaeological and historical sites~~
25 ~~identified within the site survey area. The map(s) must be on a 1:1 scale copy of a USGS 7.5' quadrangle(s), or~~

digitally generated topographic equivalent. Additional maps at other scales may be included to more accurately display required information or increase clarity.

~~() Archaeological Records Check Request () Archaeological Coverage Map~~

~~(1:1 scale of USGS 7.5' quad)~~

~~() Archaeological Records Check Request Map () Additional Archaeological Coverage~~

~~Map(s)~~

~~() Information Center Reply () Project Vicinity Map (optional)~~

~~() Example of Notice to Native Americans () Written Reply from Native Americans~~

~~() USFS or other Agency Correspondence () Site Records for: (specify which sites)~~

~~() Other: () Photographs (optional)~~

Part XIV: SUBMISSION OF APPROVED REPORT TO INFORMATION CENTER

Pursuant to 14 CCR Section 929.1 [949.1, 969.1] (f), the RPF or supervised designee, within 30 days following CDF's approval of a THP or acceptance of an EM of larger than 3 acres, shall send to the appropriate Information Center the following:

(1) A complete Confidential Archaeological Addendum which includes all changes and additions required in the THP review process, and which identifies the plan number, or for EM's of three acres or larger, a Confidential Archaeological letter, and,

(2) Two copies each of any completed archaeological or historical site records, for sites determined to be significant or for sites the surveyor elects to record but for which no determination of significance has been made.

Complete this section only after CDF approves the THP or after an EM is submitted to the Director.

THP plan number:

Emergency Notice number:

Date mailed to Information Center:

Note: Authority cited: Sections 4551, 4551.5, 4553, 4561, 4561.5, 4561.6, 4562, 4562.5, 4562.7 and 4591.1, Public Resources Code. Reference: Sections 4512, 4513, 4526, 4551, 4551.5, 4561, 4561.6, 4562, 4562.5, 4562.7, 4583.2, 4591.1, 21001(f), 21080.5, 21083.2 and 21084.1, Public Resources Code; CEQA Guidelines Appendix K (printed following Section 15387 of Title 14 Cal.Code of Regulations), and *Laupheimer v. State* (1988) 200 Cal.App.3d 440; 246 Cal.Rptr. 82.

AMEND 929.1 [949.1,969.1] Plan and Emergency Notice Preparation.

(a) Preparing a ~~THP plan~~. Prior to submitting a ~~THP plan~~, the RPF, or the RPF's supervised designee:

(1) Shall conduct an archaeological records check at the appropriate Information Center using a form entitled "Archaeological Records Check Request for a CDF Project" dated 1/1/97. The RPF may use a A previously- conducted archaeological records check for the property may be used to satisfy this requirement if it covers the entire area proposed for timber operations and if it meets the definition of "current archaeological records check" in 14 CCR § 895.1.

(2) Shall provide written notification to Native Americans of the ~~location preparation of a plan the THP. The~~ primary purpose for this notification is to provide Native Americans an opportunity to disclose the existence of any Native American archaeological or cultural sites that are potentially within or adjacent to the site survey area, and the opportunity to comment on the plan. The RPF shall allow a minimum of 10 days for ~~notification and response to this notice before prior to~~ submitting the ~~THP plan~~ to the Director. The remainder of the 10-day waiting period is waived when all Native Americans required to be ~~noticed~~ informed respond in less than 10 days. This ~~notification notice~~ shall contain the following attachments or items of information:

(A) ~~A Request for~~ information concerning the potential existence of any Native American archaeological or cultural historical sites within the THP plan boundaries which may be known by Native Americans.

(B) Information concerning the location of the plan including:

(1) A general location map that, at a minimum, shows the travel route from the nearest community or well-known landmark to the plan area.

(2) A copied segment of the titled USGS (if available) or equivalent map(s) that displays

the approximate boundary of the plan area, and includes a map legend and a scale.

(3) Provide A description of the plan location of the plan area by including the county, section, township, and range, base and meridian, and the approximate direction and distance from the nearest community or well-known landmark.

(C) Provide the estimated earliest date that the Director may approve the plan. A statement that all replies, comments, questions, or other information submitted by Native Americans as a result of this notice be directed to the RPF. The name, address, and phone number of the RPF shall be provided.

(D) Information concerning the available time for response. Indicate that the RPF is requesting a response within ten days from the date of the notice so the information can be incorporated into the plan when initially submitted to the Director. Provide the estimated date the plan will be submitted to Director. Provide the following statement: "The earliest possible date the Director may approve the plan is 16 calendar days after it is submitted to Director, although typically, the plan is reviewed for at least 45 calendar days following plan submittal before the Director approves the plan."

(D) (E) Include a A statement that the Native American groups may participate in the plan review process by submitting written comments to the Director before close of public comment period. and provide the address and phone number of the appropriate CDF office to contact.

(F) A statement that locations of sites disclosed will be kept confidential.

(E) (G) Include a A statement that a Confidential Archaeological Addendum (CAA) will be prepared for the project plan and a copy of pertinent information contained within it the CAA may, at the discretion of the Director, be obtained from the Director.

(F) Provide a map which displays the approximate boundary of the THP area, a map legend, and a scale.

(G) Provide the name of the USGS 7.5' minute quadrangle map(s) upon which the project is located.

(3) Shall provide a professional archaeologist or a person with archaeological training (in accordance with 14

CCR ~~Section §~~ 929.4 [949.4, 969.4]) to conduct a field survey for archaeological and historical sites within the site survey area. Previous archaeological surveys within the site survey area may also be used to partially or entirely satisfy this requirement.

(4) Shall ensure that research is conducted prior to the field survey, including review of appropriate literature and contacting knowledgeable individual, concerning potential archaeological or historical sites occurring on the property.

(b) Provide Notification to Native Americans if a Native American Archaeological or Cultural Site is located within the plan. On a plan that contains a Native American archaeological or cultural site as defined in 14 CCR § 895.1 the RPF or the RPF's supervised designee shall:

(1) provide a written notice to Native Americans informing them of the presence of Native American cultural resources within the site survey area. This notification shall include:

(A) The RPF's name, address, and telephone number.

(B) The name, number, or other designator of the plan.

(C) A list of all known Native American archaeological or cultural sites located within the site survey area, including a name, number or other designator and brief description of each site.

(D) A brief discussion of how each site shall be protected or avoided.

(E) The address and phone number of the appropriate CDF office to contact as well as a statement that written comments may be submitted to Director for consideration prior to the close of public comment.

(F) The estimated earliest date the Director may approve the plan.

(2) submit a copy of all letters sent pursuant to 14 CCR § 929.1 [949.1, 969.1] (b)(1) to the Director. The

Director shall allow a minimum of 15 days from the date of the notification letter for receipt of responses to

notices sent pursuant to 14 CCR § 929.1 [949.1, 969.1] (b)(1) prior to the close of public comment.

(b) Submitting a Confidential Archaeological Addendum for a ~~THP~~ plan.

The RPF shall include the following information in a Confidential Archaeological Addendum with the proposed ~~THP~~ plan:

1 (1) Administrative information which is not confidential and may be released to the public. This includes:

2 (A) The name, affiliation, address, and phone number of the archaeological surveyor.

3 (B) The name, affiliation, address, and phone number of the RPF, if different than the archaeological surveyor.

4 (C) The plan name ascribed by the RPF, plan number (if known), type, and approximate acreage.

5 (D) The county, legal description, and name of USGS 7.5' Quad(s) within which the project is located.

6 (E) The date the CAA was completed.

7 (F) The name of the author of the CAA.

8 (G) The signature of the RPF or archaeological surveyor.

9 (2) Archaeological Records Check Information. A copy of the ~~completed request form~~ records check and written reply (including mapped information) from the Information Center shall be attached, or a justification as to why that is not possible shall be included.

10 (A) If the ~~completed request form~~ records check request and written reply from the Information Center are attached, no additional information is required.

11 (B) If the ~~completed request form~~ records check request and written reply from the Information Center are not attached, the following information shall be included:

12 (1) Justification why ~~completed request form~~ records check request and written reply could not be attached.

13 (2) The date the records check was conducted at the Information Center.

14 (3) The Information Center File Number.

15 (4) Summary of records check results discussing whether or not archaeological or historical sites are known or suspected to exist within the site survey area and whether or not the site survey area has a previous archaeological investigation on record.

16 (3) Results of notification to consultation with Native Americans of plan preparation pursuant to 14 CCR

17 ~~Section §~~ 929.1 [949.1, 969.1](a)(2)(B). This shall include:

18 (A) An example of a notification letter and project maps submitted to Native American contacts.

19 (B) Copies of any written responses received from Native American contacts.

20 (C) A list of the individuals or groups ~~which that~~ were provided written notification and the date of the Native American Contact List being used.

21 (D) Date the notification was sent.

(E) Results of ~~notification~~ the information request, specifically addressing the results of information received from the NAHC, if those results have been received.

(4) Results of notification to Native Americans of the existence of a Native American archaeological or cultural site on the plan, if required, pursuant to 14 CCR § 929.1 [949.1, 969.1](b).

~~(45)~~ A list of the research done prior to field survey ~~including~~. This list shall include literature reviewed and persons contacted in addition to the required archaeological records check with Information Center and Native Americans, and a summary of the results of this research.

~~(56)~~ Information on the current or previous archaeological surveyor(s), which is not confidential. This shall include:

(A) the name of the current archaeological surveyors and an indication of whether or not the person either meets the specifications of a professional archaeologist as defined in 14 CCR ~~Section §~~ 895.1 or meets the requirements specified in 14 CCR ~~Section §~~ 929.4 [949.4, 969.4].

(B) the name of any previous archaeological surveyors, if known.

~~(67)~~ Description of archaeological survey methods and procedures including survey strategy, time spent conducting archaeological field survey, the date or dates the survey was conducted, survey coverage intensity, and ground visibility or other limitations.

~~(78)~~ A list and description of all archaeological or historical sites identified within the site survey area including information on the site(s) size, type, and condition. The designations used in this listing of sites found shall be consistently used throughout the CAA.

~~(89)~~ An Archaeological Coverage Map or maps prepared in accordance with the specifications identified in the definition of an Archaeological Coverage Map in 14 CCR ~~Section §~~ 895.1.

~~(910)~~ A preliminary determination of significance of identified archaeological and historical sites, if damaging effects from timber operations cannot be avoided. This determination shall be based upon the criteria for a significant archaeological or historical site listed in 14CCR ~~Section §~~ 895.1.

~~(4011)~~ Description of any specific enforceable protection measures to be implemented both within the site

boundaries and within 100 feet of the site boundaries.

~~(4112)~~ Information concerning the proposed on-site meeting between the RPF or supervised designee familiar with on-site conditions and the LTO to discuss protection of archaeological and historical resources, if required, pursuant to 14 CCR ~~Section §~~ 929.2 [949.2,969.2](b).

~~(4213)~~ Information concerning site-recording requirements pursuant to 14 CCR ~~Section—§~~ 929.1 [949.1,969.1](~~ed~~) and (~~fg~~).

~~(4314)~~ Other applicable information, if any, concerning the archaeological survey for this project.

~~(4415)~~ List of attachments to the CAA.

(~~ed~~) Site Records .

~~Any time prior to THP approval~~ Upon submission of a plan, the RPF or the RPF's supervised designee shall submit completed site records for each site ~~determined~~ proposed to be a significant archaeological or historical site in a manner consistent with the recording standards identified in the State Office of Historic Preservation's "Instructions For Recording His torical Resources" (March, 1995), which is incorporated by reference.

(~~de~~) Emergency Notice of 3 Acres or More.

(1) Prior to submitting an Emergency Notice of three acres or more, the RPF:

(A) Shall ensure that an archaeological field survey is, or has been previously conducted by a professional archaeologist or person with archaeological training (pursuant to 14CCR ~~Section §~~ 929.4 [949.4, 969.4]) within the site survey area.

(2) Prior to submitting an Emergency Notice of three acres or more, the RPF or the RPF's supervised designee:

(A) Shall complete a current archaeological records check. This check may be conducted by telephone. If the Information Center is unable to provide the information within three business days following receipt of an RPF's request for an Emergency Notice records check, the records check requirement is waived.

(B) Shall submit a Confidential Archaeological Letter that includes the information required by 14 CCR § 929.1 [949.1,969.1](~~bc~~)(2),(~~67~~),(~~78~~),(~~89~~), (10) and (4011), including site records, if required pursuant to 14 CCR § 929.1 [949.1, 969.1](~~fg~~) and 929.5 [949.5,969.5].

(C) Shall send a copy of the Emergency Notice to Native Americans.

(ef) Emergency Notice of Less Than 3 Acres.

(1) Prior to submitting an Emergency Notice of less than three acres, the RPF or the RPF's supervised designee shall:

(A) Conduct an archaeological survey for said area to determine whether it contains any significant archaeological sites using the criteria for a significant archaeological or historical site defined in 14 CCR § 895.1.

(B) Send a copy of the Notice to Native Americans.

(2) An archaeological records check, Confidential Archaeological Addendum, or Confidential Archaeological Letter, is not required.

(3) No timber operations shall occur within the boundaries of any significant archaeological or historical sites as determined by the RPF or the RPF's supervised designee.

(fg) Submitting Archaeological and Historical Information to Information Centers.

Within 30 days following the Director's approval of a ~~THP plan~~ or acceptance of an Emergency Notice of three acres or larger, the ~~RPF or supervised designee~~ Director shall send to the appropriate Information Center of the California Historical Resource Information System the following information provided by the RPF:

(1) a complete Confidential Archaeological Addendum which includes all changes and additions required in the ~~THP plan~~ review process and which identifies the plan number, or, for Emergency Notices of three acres or larger, a Confidential Archaeological Letter.

(2) two copies each of any completed archaeological or historical site records for:

(A) archaeological sites determined to be significant, or

(B) sites that a person elects to record, but for which no determination of significance has been

made. The records shall be completed by a person who satisfies the training requirements

specified in 14 CCR §§ 929.4 [949.4, 969.4], in a manner consistent with the recording standards

identified in the State Office of Historic Preservation's "Instructions For **Recording Historical**

Resources" March, 1995, which is incorporated by reference.

(3) The RPF or supervised designee shall ensure that the site records are completed in the manner specified in subsection (2).

Note: Authority cited: Sections 4551, 4551.5, Public Resources Code. Reference: Sections 4582(f), 21002 and 21060.5 Public Resources Code.

Amend 929.2 [949.2,969.2] Protection Measures for THPs Plans and Emergency Notices 3 Acres and Larger.

(a)(1) The RPF shall describe in the separate Confidential Archaeological Addendum or Letter, measures to be taken to mitigate or avoid substantial adverse change to any known significant archaeological or historical sites.

(2) The RPF may propose, and the Director may agree to, site-specific protection measures for any identified archaeological or historical site without evaluating the significance of the site. These proposed protection measures shall be designed to ensure protection of such archaeological and historical sites from damaging effects. Avoidance of activities which will cause damaging effects is a preferred protection measure.

(b) The RPF or supervised designee familiar with on-site conditions shall meet with the LTO prior to the start of timber operations at each archaeological or historical site that is described in the plan or notice that requires avoidance or other protection measures and do the following:

(1) show the LTO the location, extent and boundaries of each archaeological or historical site requiring protection,

(2) discuss with the LTO the protection measures,

(3) apprise the LTO of the confidentiality requirements for any information concerning the physical location of archaeological or historical sites.

(c) If the RPF or supervised designee is unable to perform the duties in 14 CCR § 929.2 [949.2, 969.2](b), the RPF shall:

(1) explain the reasons in the emergency notice, plan, or as a minor amendment to the plan,

(2) (A) meet with the plan submitter, timberland owner, or their authorized agent, and review in the field, the items described in 14 CCR § 929.2 [949.2, 969.2](b),

(B) if the plan submitter, timberland owner, or their authorized agent will not comply with the RPF's or RPF's supervised designee's request for a meeting, the RPF shall notify the Director.

(3) except for an emergency notice, notify the plan submitter in writing that it is the plan submitter's

responsibility to transfer the information in 14 CCR § 929.2 [949.2, 969.2](b) to the LTO per 1035(gh),

(4) notify the Director in writing.

(d) The LTO shall not conduct timber operations within the boundaries of any archaeological or historical site identified in the CAA unless such operations are described in the CAA and made part of the plan approved by the Director.

(e) In the event that the CAA authorizes limited timber operations within the boundaries of archaeological or historical sites identified in the plan, the LTO and the RPF, if so stated in the plan, shall be responsible for ensuring that specific protection measures and timber operations are conducted in the manner described in the CAA.

Note: Authority cited: Sections 4551, 4551.5, Public Resources Code. Reference: Sections 4582(f), 21001, 21060.5, 21083.2, and 21084.1, Public Resources Code.

1 **AMEND 929.3, [949.3, 969.3] Post-Review Site Discovery.**

2 If a person discovers a potentially significant archaeological or historical site after a ~~THP plan~~, ~~NTMP~~, Emergency
3 Notice, or Exemption is accepted by the Director, the following procedures apply:

- 4 (a) The person who made the discovery shall immediately notify the Director, LTO, RPF, or timberland owner of record.
5 (b) The person first notified in (a) shall immediately notify the remaining parties in (a).
6 (c) No timber operations shall occur within 100 feet of the identified boundaries of the new site until the plan submitter
7 proposes, and the Director agrees to, protection measures pursuant to 14CCR § 929.2 [949.2, 969.2].

8 (d) A (option 1, minor) (option 2: ~~minor~~) deviation shall be filed to the ~~THP~~, ~~if the plan is changed plan~~. The minimum
9 information provided shall include:

10 (1) A statement that the information is confidential.

11 (2) The mapped location of the site.

12 (3) A description of the site.

13 (4) Protection measures , and

14 (5) Site records, if site records are required pursuant to 14 CCR §§ 929.1(g)(2)(b) and 929.5 [949.5, 969.5].

15 (e) ~~The~~ Upon receipt the Director shall immediately provide the proposed (option 1, minor) (option 2: ~~minor~~) deviation or
16 portions of the ~~minor~~-deviation, to Native Americans ~~and the NAHC~~ when Native American archaeological or cultural
17 sites are involved.

18 Note: Authority cited: Sections 4551, 4551.5, Public Resources Code. Reference: Sections 4582(f), 21002 and
19 21060.5 Public Resources Code.

20 **929.4, [949.4, 969.4] Archaeological Training Requirements.**

21 To meet the requirement of 14 CCR § 929.1 [949.1, 969.1] archaeological surveys of ~~Timber Harvesting a Pplan~~ or
22 Emergency Notice areas for archaeological or historical sites shall be conducted only by a professional archaeologist or
23 a person who has attended a training program approved by the Director within five years prior to submission of the ~~THP~~
24 plan or Emergency Notice. The training program must meet the following standards:

- 25 (a) The course shall use education materials approved by the Director which address the current regulations and
procedures for the identification, recordation, and protection of archaeological and historical resources during timber
operations.

(b) The course may require that the applicant demonstrate, in the field, and in a final written examination, the ability to conduct a record search, perform field identification, complete an archaeological site record, and to identify appropriate mitigation and protection measures for archaeological or historical sites covered in the course.

(c) The Director shall issue ~~a certificate of training~~ verification to all students that satisfactorily complete the training course.

(d) Following an individual's successful completion of an archaeological training course approved by the Director, he or she may enroll in a refresher training course, approved by the Director, to renew a 5-year archaeological training certification.

(e) The Director may conduct the archaeological training courses (in addition to or in-lieu of approving programs conducted by others) at least annually.

Note: Authority cited: Sections 4551, 4551.5, Public Resources Code. Reference: Sections 4582(f), 21002 and 21060.5 Public Resources Code.

929.5, 949.5, 969.5 Site Recording [All Districts]

The Director shall ensure that all archaeological or historical sites determined to be significant and located within the site survey area on plans, THPs, or Emergency Notices are recorded by the RPF or supervised designee in a manner consistent with the recording standards identified in the State Office of Historic Preservation's "Instructions For Recording Historical Resources" March, 1995, which is incorporated by reference.

Note: Authority cited: Sections 4551, 4551.5, Public Resources Code. Reference: Sections 4582(f), 21002 and 21060.5 Public Resources Code.

1037.5(a) Review Teams to be Established.

Interdisciplinary review teams shall be established by the Director to review plans and assist the Director in the evaluation of proposed timber operations and their impacts on the environment.

(a) Review Team Composition: Each review team, when possible, shall consist of a representative from each of the following agencies: the appropriate California Regional Water Quality Control Board, Department of Conservation, Division of Mines and Geology, Department of Fish and Game, a representative of county government when the county government so requests, California Coastal Commission (for plans in the coastal zone), California Tahoe Regional Planning Agency (for plans in the Tahoe Basin) and the Department of Forestry and Fire Protection. The Director shall request a representative from the Department of Parks and Recreation in the case of plans that may affect values in publicly owned parks. The Director may request other federal, state or county agencies, or ~~the Native American~~

~~Heritage Commission (NAHC) or local tribal groups identified by the NAHC, Native Americans as defined in 14 CCR~~

~~895.1, when appropriate, to assist as advisors in the review process. The Department of Forestry and Forestry and Fire~~

~~Protection's representative shall be the review team Chairperson and shall be an Registered Professional Forester.~~

Note: Authority cited: Sections 4551, 21080.5, Public Resources Code. Reference: Sections 4512, 4513, 4551.5, 4582.6, 21000(g), 21002, 21080.5, Public Resources Code; *Natural Resources Defence Council, Inc. v. Arcata Nat. Corp I*(1976) 59 Cal.App.3d 959; 131 Cal.Rptr. 172.

1052 Emergency Notice.

(a) (10) For Emergency Notices covering three acres or more in size, the RPF shall include a Confidential

Archaeological Letter with the Emergency Notice submitted to the Director. The Confidential Archaeological Letter

shall include ~~that includes~~ all information required by 14 CCR Section § 929.1[949.1,969.1](~~bc~~)(2),(~~67~~),(~~78~~),(~~89~~),

(~~10~~) and (~~4011~~), including site records, if required pursuant to 14 CCR§§ 929.1 [949.1, 969.1] (~~fg~~) and 929.5.~~This~~

~~Confidential Archaeological Letter shall be included with the submittal of the Emergency Notice to the Director. The~~

~~RPF or supervised designee~~ Director shall ~~also~~ submit a complete copy of the Confidential Archaeological Letter

and two copies of any required archaeological or historical site records, to the appropriate Information Center of the

California Historical Resource Information System within 30 days from the date of Emergency Notice submittal to

the Director. Prior to submitting the emergency notice to the Director the RPF shall send a copy of the emergency

notice to Native Americans as defined in 14 CCR § 895.1.

Note: Authority cited: Sections 4551, 4552, Public Resources Code. Reference: Sections 4592 Public Resources Code.